

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	JEFFREY L. CLELAND	Examiner:	CARLOS A. AZPURU
Serial No.:	10/080,502	Group Art Unit:	1615
Filed:	FEBRUARY 22, 2002	Docket No.:	11669.242USU1
Customer No.	23552	Confirmation No.	8669
Title:	ERODIBLE POLYMERS FOR INJECTION		

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COMMUNICATION AND REQUEST TO  
WITHDRAW NOTICE OF ABANDONEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Notice of Abandonment dated November 16, 2006, Applicants respectfully request the Notice be withdrawn. In contrast to the Examiner's Statement in the Notice, a timely filed reply to the Office Action dated May 4, 2006 was received by the USPTO on November 6, 2006 (November 4, 2006 was a Saturday), together with a 3 month extension of time. These documents were delivered to the U.S. Patent Office Mail Room window, and the stamped postcard bears the date of receipt, November 6, 2006. Please see attached Amendment, Extension of Time, date stamped Postcard, and accompanying transmittal documents.

Removal of the Abandonment Notice is respectfully requested.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

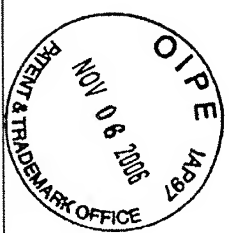


Denise M. Kettelberger  
Reg. No. 33,924

DMK/ko

**23552**

PATENT TRADEMARK OFFICE

U.S. Application Serial No.: 10/080,502	Filing Date: February 22, 2002
Title: Erodible Polymers for Injection	Inventor(s): Jeffrey L. CLELAND et al.
Attorney/Doctel No.: 11669,0242USU1	
Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:	
<input checked="" type="checkbox"/> Transmittal Form	
<input checked="" type="checkbox"/> Fee Transmittal (in Duplicate)	
<input checked="" type="checkbox"/> Non-Final Amendment	
<input checked="" type="checkbox"/> Request for Extension of Time (3 months)	
<input checked="" type="checkbox"/> Return Postcard	
	
Patent	Due Date: November 4, 2006 (Saturday) DMK/SEZ/mdd - DC Office

SCJ

# TRANSMITTAL FORM

(to be used on all correspondence after initial filing)

ATTORNEY DOCKET NO.

11669.0242USU1

U.S. APPLICATION SERIAL NO.

10/080,502

CONFIRMATION NO.

8669

FILING DATE

February 22, 2002

INVENTOR(S)

Jeffrey L. CLELAND et al.

EXAMINER

Carlos A. AZPURU

GROUP ART UNIT

1615

TITLE OF APPLICATION

Erodible Polymers for Injection

ADDRESS TO:

Mailstop Amendment  
Commissioner for Patents  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

## ENCLOSURES

- ☒ Transmittal Form
- ☒ Fee Transmittal (In Duplicate)
- ☒ Non-Final Amendment
- ☒ Request for Extension of Time (3 months)
- ☒ Return Postcard

☒ Please charge Deposit Account No. 13-2725 in the amount of \$1,320.00 to cover any required fees. In the event any variance exists between this amount and the Patent Office charges for filing the above-noted documents, including any fees required under 35 CFR 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 13-2725. Further, if these papers are not considered timely filed, then a request is hereby made under 37 CFR 1.136 for the necessary extension of time.

## CORRESPONDENCE ADDRESS

☒ The address associated with Customer Number: **23552** OR ☐ the correspondence address below.

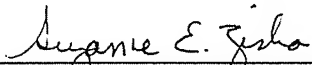
Name

Address

City

State

Zip Code

NAME	Denise M. Kettelberger, Ph.D.	REGISTRATION NO.	33,924
SIGNATURE		DATE	November 6, 2006
NAME	Suzanne E. Ziska	TELEPHONE	202 326-0300
		REGISTRATION NO.	43,371

# FEE TRANSMITTAL

ATTORNEY DOCKET NO.

**11669.0242USU1**

U.S. APPLICATION SERIAL NO.

**10/080,502**

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INVENTOR(S)

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EXAMINER

**Carlos A. AZPURU**

GROUP ART UNIT

**1615**

TITLE OF APPLICATION

**Erodible Polymers for Injection**



Applicant claims small entity status. See 37 CFR 1.27.  
Certain fees are reduced by 1/2.

TOTAL AMOUNT OF PAYMENT

**\$1,320.00**

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The following fees have been submitted:

## APPLICATION FEES

	FEE CODE	DESCRIPTION	FEE	CALCULATE
<input type="checkbox"/>	1011	Basic Filing Fee - Utility	\$300.00	
<input type="checkbox"/>	1111	Utility Search Fee	\$500.00	
<input type="checkbox"/>	1311	Utility Examination Fee	\$200.00	
<input type="checkbox"/>	1012	Basic Filing Fee - Design	\$200.00	
<input type="checkbox"/>	1112	Design Search Fee	\$100.00	
<input type="checkbox"/>	1312	Design Examination Fee	\$130.00	
<input type="checkbox"/>	1005	Provisional Application Filing Fee	\$200.00	
<input type="checkbox"/>	1014	Basic Filing Fee - Reissue	\$300.00	
<input type="checkbox"/>	1051	Surcharge - Late Filing Fee, Search Fee, Examination Fee or Oath or Dec.	\$130.00	
<input type="checkbox"/>	1801	Request for Continued Examination	\$790.00	
<input type="checkbox"/>	1814	Terminal Disclaimer	\$130.00	
<input type="checkbox"/>	1452	Petition to Revive Unavoidably Abandoned Application	\$500.00	
<input type="checkbox"/>	1453	Petition to Revive Unintentionally Abandoned Application	\$1,500.00	
SUB TOTAL			\$ 0.00	

## EXTENSION OF TIME FEES

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1251	Extension for Response Within the First Month	\$120.00	
<input type="checkbox"/>	1252	Extension for Response Within the Second Month	\$450.00	
<input checked="" type="checkbox"/>	1253	Extension for Response Within the Third Month	\$1,020.00	\$1,020.00
<input type="checkbox"/>	1254	Extension for Response Within the Fourth Month	\$1,590.00	
<input type="checkbox"/>	1255	Extension for Response Within the Fifth Month	\$2,160.00	
Credit for Extensions Previously Paid				
SUB TOTAL			\$1,020.00	

## APPLICATION SIZE FEES

<input type="checkbox"/> Additional Fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets or fraction thereof.				\$0.00
Total Sheets	Extra Sheets	Number of each additional 50 sheets or fraction thereof (round up to whole no.)	RATE	
0-100	/50=	0	x \$250.00 =	

DOCKET NO. <b>11669.0242USU1</b>	U.S. APPLICATION SERIAL NO. <b>10/080,502</b>	FILING DATE <b>February 22, 2002</b>
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#### CLAIM FEES

CLAIMS	NUMBER FILED	NUMBER PREV. PAID FOR	MAX. PAID	NUMBER OF ADD'L CLAIMS	RATE		
Total Claims	53	51	<input checked="" type="checkbox"/> 51	2	x \$50	\$100.00	\$300.00
Independent Claims	7	6	<input checked="" type="checkbox"/> 6	1	x \$200	\$200.00	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S)					+ \$360	\$0.00	
TOTAL OF ABOVE CALCULATIONS =							

#### APPEALS/INTERFERENCE FEES

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1401	Notice of Appeal	\$500.00	
<input type="checkbox"/>	1402	Filing a Brief in Support of an Appeal	\$500.00	
<input type="checkbox"/>	1403	Request for oral Hearing	\$1,000.00	
SUB TOTAL				\$ 0.00

#### POST-ALLOWANCE FEES

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1501/1511	Utility/Reissue Issue Fee	\$1,400.00	
<input type="checkbox"/>	1502	Design Issue Fee	\$800.00	
<input type="checkbox"/>	1503	Plant Issue Fee	\$1,100.00	
SUB TOTAL				\$ 0.00

TOTAL OF FEES SUBJECT TO REDUCTION FOR SMALL ENTITY STATUS			\$1,320.00
<input type="checkbox"/>	Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		x 1.00= \$1,320.00

#### FEES NOT SUBJECT TO REDUCTION FOR SMALL ENTITY STATUS

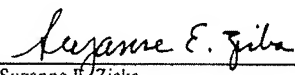
#### POST-ISSUANCE FEES

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1811	Certificate of Correction	\$100.00	
<input type="checkbox"/>	1812	Request for Ex Parte Reexamination	\$2,520.00	
<input type="checkbox"/>	1813	Request for Inter Partes Reexamination	\$8,800.00	
SUB TOTAL				\$ 0.00

#### MISCELLANEOUS FEES

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1053	Non-English Specification	\$130.00	
<input type="checkbox"/>	1806	Submission of an Information Disclosure Statement	\$180.00	
<input type="checkbox"/>	8001	Printed Copy of Patent <u>0</u> copies x	\$3.00	
<input type="checkbox"/>	8021	Recording Assignment, Agreement or Other Paper <u>0</u> properties x	\$40.00	
<input type="checkbox"/>	1504/1505	Publication/Republication Fee	\$300.00	
SUB TOTAL				\$ 0.00

TOTAL FEES SUBMITTED			\$1,320.00
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NAME	Denise M. Kettelberger, Ph.D.	REGISTRATION NO.	33,924
SIGNATURE		DATE	November 6, 2006
NAME	Suzanne E. Ziska	REGISTRATION NO.	43,371

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**11669.0242USU1**

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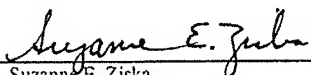
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<input type="checkbox"/>	1806	Submission of an Information Disclosure Statement	\$180.00	
<input type="checkbox"/>	8001	Printed Copy of Patent	0 copies x \$3.00	
<input type="checkbox"/>	8021	Recording Assignment, Agreement or Other Paper	0 properties x \$40.00	
<input type="checkbox"/>	1504/1505	Publication/Republication Fee	\$300.00	
SUB TOTAL			\$ 0.00	

TOTAL FEES SUBMITTED	\$1,320.00
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NAME	Denise M. Kettelberger, Ph.D.	REGISTRATION NO.	33,924
SIGNATURE		DATE	November 6, 2006
NAME	Suzanne E. Ziska	TELEPHONE	202 326-0300
		REGISTRATION NO.	43,371